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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,622	09/26/2003	Yoshiki Fujimura	0001494/2215USU	8062

7590 03/30/2009

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EXAMINER	
HICKS, MICHAEL J	
ART UNIT	PAPER NUMBER
2165	

MAIL DATE	DELIVERY MODE
03/30/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/672,622	FUJIMURA, YOSHIKI	
	Examiner	Art Unit	
	Michael J. Hicks	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 January 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *3 and 8-12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *3 and 8-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *11/17/2008*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 3 and 8-12 Pending.

Claims 1-2 and 4-7 Canceled.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/21/2009 has been entered.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 11/17/2008 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Response to Arguments

4. Applicant's arguments with respect to claims 3 and 8-12 have been considered but are moot in view of the new ground(s) of rejection.

Examiner notes that the new grounds of rejection are based off of the same art used in the Final Rejection dated 7/17/2008, however the mapping of the limitations is altered to more clearly express the combination of the cited art.

Claim Objections

5. Claim 8 objected to because of the following informalities: Examiner notes that several instances of the word 'message' in Claim 8 are incorrectly spelled 'massage'.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 3 and 8-12 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As Per Claims 3 and 8-12, the claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." Both types of "descriptive material" are

nonstatutory when claimed as descriptive material *per se*, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)

Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See *Diehr*, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in *Benson* were unpatentable as abstract ideas because "[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer."). Note that every element in Claims 8 and 12 are left ambiguous as to whether they are embodied by hardware or software elements, with no direction given in Applicants specification. As such, they may be interpreted to be embodied purely as software constructs. Examiner notes that this rejection may be overcome by specifying the home page management server includes a processor and memory.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 3 and 8-12 rejected under 35 U.S.C. 103(a) as being unpatentable over Loen in view of Davis.

As per Claim 3, Loen fails to disclose the home page management server receives the mail message in accordance with a reception process of a mail message includes a process for sending a mail transmission request to the mail server, and a reception process of a mail message from the mail server.

Davis discloses the home page management server receives the mail message in accordance with a reception process of a mail message includes a process for sending a mail transmission request to the mail server, and a reception process of a mail message from the mail server (i.e. *"A provider of content for a hypertext document can send an e-mail message containing revisions or additions to the document directly (or indirectly) to the server hosting the hypertext document and automatically revise the document without requiring the intervention of another party. Revisions to a hypertext document may be generated in the same manner as an e-mail message is created or independently via a source external to an e-mail utility. For example, revisions may be generated in a word processing program and automatically transmitted to a server via an e-mail message...The present invention may also include an Information Management System (IMS) module which monitors all activity, manages update schedules, and creates various logs and reports. The present invention allows many content providers to update authorized Web pages in either a supervised or an unsupervised mode...Instructions are preferably transmitted to a device's incoming e-mail box to await retrieval by the device. A receiving device need not be in continuous communication with the computer network. A receiving device may connect to the network periodically to retrieve instructions from its incoming e-mail box, log off and then carry out the instructions. A receiving device may be instructed to*

transmit data across the network to another receiving device. For example, information including sales totals, number of users, quantities of product delivered, and the like, may be transmitted." The preceding text excerpt clearly indicates that email messages requesting to update the HTML document data, and including the update data therein may be transmitted to the server hosting the html document (e.g. the mail server of the creator/managers system).) (Column 3, Lines 3-12 and 53-58; Column 15, Lines 58-67).

It would have been obvious to one skilled in the art at the time of Applicants invention to modify the teachings of Loen with the teachings of Davis to include the home page management server receives the mail message in accordance with a reception process of a mail message includes a process for sending a mail transmission request to the mail server, and a reception process of a mail message from the mail server with the motivation of automatically revising a hypertext document stored within a server connected to a computer environment which utilizes scheduling (Abstract and Column 3, Lines 53-58).

As per Claim 8, Loen discloses a system for automatically updating a home page comprising: a update terminal configured to provide a content file including an advertisement content on the home page and a first identifying item specifying the home page (i.e. *"In step 210, a Java applet in the web browser monitors the source of the content in each template region. In step 220, the browser Java applet determines if the content has changed. If yes, then in step 230, the browser Java applet parses the source code of the updated content. In step 240, the new content is downloaded from the source and reloaded into the web page region automatically. The affected region is updated on the web page without affecting the rest of the page. The web page developer can define the interval for which the browser applet updates the content from the server. This interval can be*

unique for each region." The preceding text excerpt clearly indicates that updates are stored on an update terminal and the Abstract of Loen clearly discloses that the update content may be advertisement content. Examiner further notes that the in order for the home page to be updated, the home page must be specified.) (Page 10, Lines 5-12); a home page management server connected to a user terminal and the update terminal though a communication network, which transmits HTML document data to the user terminal to provide the home page on the user terminal in response to a transmission request of transmitting the HTML document data from the user terminal (i.e. *"As known in the art, the browser is used to gain access to and retrieve data from documents on a remote computer. In the preferred embodiment, the documents include web sites on the Internet. Web pages are stored as files on the remote computer and the Uniform Resource Locator (URL) specifies the file location. Commonly, the browser sends requests to a web site, the web server for the web site retrieves the information and sends the web browser the information. The web page format can include HTML, text, images, audio, and video along with many other features. The web page is created by a web developer at remote computer 50 and is accessed by a user at computer 30."* The preceding text excerpt clearly indicates that a user may request to view the web page and that the request is handled by a home page management unit (e.g. server process) that retrieved the web page and transmits it to the user.) (Page 6, Lines 11-18), the HTML document data provided with banner data relating to the advertisement content (i.e. *"As known in the art, the browser is used to gain access to and retrieve data from documents on a remote computer. In the preferred embodiment, the documents include web sites on the Internet. Web pages are stored as files on the remote computer and the Uniform Resource Locator (URL) specifies the file location. Commonly, the browser sends requests to a web site, the web server for the web site retrieves the information and sends the web browser the information. The web page format can include HTML, text, images, audio, and video along with many other features. The web page is created by a web developer at remote computer 50 and is accessed by a user at computer 30."* The preceding text excerpt along with the abstract of Loen clearly

indicates that the HTML data includes advertisement/banner data related to the advertising content.) (Page 6, Lines 11-18); wherein the home page management server includes: a home page data base storing the HTML document data for the home page and the content files transferred from the update terminal (i.e. *"When a user selects the publish function, the application automatically creates the HTML, DHTML and JavaScript codes required to load and run the web page in the viewer's browser. Then the web page is saved in a directory chosen by the user."* The preceding text excerpt clearly indicates that a web page/home page is stored in a home page database. Examiner notes that, in this case, the creator/managers system functions as a database and that as the creator/manager may specify the location of storage, an external database may be indicated. Examiner notes that once the content files transferred from the update terminal are incorporated into the HTML documents they will be stored in incorporated form in the home page database.) (Page 17, Lines 3-5); a schedule data base storing schedule data including a date item which relates to a update of the advertisement contents and specify one of the content files (i.e. *"Scheduling is used to link web page appearance and content to the time of day or to a specific time interval. Web page developers can schedule any of the events defined above to occur at any time during a schedule. The scheduling feature is also accompanied by GUI 84 as illustrated in Figure 25. The GUI allows the developer to create a time line schedule for each region of the web page. A schedule file in an XML format is created from the information provided to the GUI. The schedule file contains one or more schedules to be executed by a web page."* The preceding text excerpt clearly indicates that scheduling information is created and stored. Examiner notes that the scheduling database need not be separate from the home page database. Examiner further notes that the updates specify the updates to be applied and the web pages which are to be affected.) (Page 14, Lines 13-19); a home page management unit reading out the HTML document data from the home page data base in response to the transmission request from the user terminal, and transmitting the readout HTML document data to the user terminal (i.e. *"As known in the art, the browser is used to gain access to and retrieve data from*

documents on a remote computer. In the preferred embodiment, the documents include web sites on the Internet. Web pages are stored as files on the remote computer and the Uniform Resource Locator (URL) specifies the file location. Commonly, the browser sends requests to a web site, the web server for the web site retrieves the information and sends the web browser the information. The web page format can include HTML, text, images, audio, and video along with many other features. The web page is created by a web developer at remote computer 50 and is accessed by a user at computer 30." The preceding text excerpt clearly indicates that a user may request to view the web page and that the request is handled by a home page management unit (e.g. server process) that retrieved the web page and transmits it to the user.) (Page 6, Lines 11-18), the home page management unit receiving the content file from the update terminal, and transferring the content file to the home page database (i.e. *"In step 210, a Java applet in the web browser monitors the source of the content in each template region. In step 220, the browser Java applet determines if the content has changed. If yes, then in step 230, the browser Java applet parses the source code of the updated content. In step 240, the new content is downloaded from the source and reloaded into the web page region automatically. The affected region is updated on the web page without affecting the rest of the page. The web page developer can define the interval for which the browser applet updates the content from the server. This interval can be unique for each region."* The preceding text excerpt clearly indicates that an update terminal (e.g. the manager/creators console) may be used to input update data and transfer the update data to the server to be stored in the home page database.) (Page 10, Lines 5-12); a patrol search unit patrolling specified sources, the update terminal, the home page data base and the schedule data base to search for at least one of the request of updating the home page, the first and second identifying items and the date item to extract updated one of the content files and the updating files in accordance with a patrol order of the specified sources, the update terminal, the home page data base, and the schedule data base (i.e. *"Scheduling is used to link web page appearance and content to the time of day or to a specific time interval. Web page*

developers can schedule any of the events defined above to occur at any time during a schedule. The scheduling feature is also accompanied by GUI 84 as illustrated in Figure 25. The GUI allows the developer to create a time line schedule for each region of the web page. A schedule file in an XML format is created from the information provided to the GUI. The schedule file contains one or more schedules to be executed by a web page." The preceding text excerpt clearly indicates that schedules may be created which search for and process updates to the web page. Examiner notes that as schedules may call other schedules, a 'master schedule' (e.g. patrol order) may be created which calls sub schedules to search for and process updates in each of a specified data source (see Schedule commands on Pages 11-14 of Loen), the update terminal, the home page database, and the schedule database. Examiner notes that as the updates are never stored in the update terminal or the schedule database, it is not necessary to search for updates in those repositories, however, with the above disclosed method, schedules could be created to check for updates within those sources.) (Page 14, Lines 13-19), a patrol timing, and a number of times that patrol is to be carried out, which are determined based on the order of priority for accessing the specified sources, the home page data base, the update terminal, and the schedule data base (i.e. *"Scheduling is used to link web page appearance and content to the time of day or to a specific time interval. Web page developers can schedule any of the events defined above to occur at any time during a schedule. The scheduling feature is also accompanied by GUI 84 as illustrated in Figure 25. The GUI allows the developer to create a time line schedule for each region of the web page. A schedule file in an XML format is created from the information provided to the GUI. The schedule file contains one or more schedules to be executed by a web page."* The preceding text excerpt clearly indicates that the patrol timing and number of patrols to be carried out are defined in the master schedule (e.g. patrol order), as above.) (Page 14, Lines 13-19; Page 17, Lines12-13; Page18, Lines 16-19); and a banner generating unit generating the banner data with utilizing the updated one of the content files and the updating files to update HTML document data with the banner data which

is incorporated in the HTML document data with reference to the schedule data at the patrol timing (i.e. *"In step 210, a Java applet in the web browser monitors the source of the content in each template region. In step 220, the browser Java applet determines if the content has changed. If yes, then in step 230, the browser Java applet parses the source code of the updated content. In step 240, the new content is downloaded from the source and reloaded into the web page region automatically. The affected region is updated on the web page without affecting the rest of the page. The web page developer can define the interval for which the browser applet updates the content from the server. This interval can be unique for each region."* The preceding text excerpt clearly indicates that when the scheduled patrol identifies updated data in any of the search repositories, the data is extracted and the updates applied. Examiner notes that the abstract of Loen also indicates that the updated data is local ad campaign (e.g. banner) data.) (Page 10, Lines 5-12); wherein the update terminal is allowed to set the patrol timing, patrol order, number of times patrol is to be carried out, and setting regarding whether or not to cause the patrol to be carried out (i.e. *"Scheduling is used to link web page appearance and content to the time of day or to a specific time interval. Web page developers can schedule any of the events defined above to occur at any time during a schedule. The scheduling feature is also accompanied by GUI 84 as illustrated in Figure 25. The GUI allows the developer to create a time line schedule for each region of the web page. A schedule file in an XML format is created from the information provided to the GUI. The schedule file contains one or more schedules to be executed by a web page…Finally, the Java Applets manage the execution of any schedules attached to the web page. The schedule file is loaded, then converted from XML into an internal data structure. The Java Applets monitor the time, then run the required events in the schedule file at the appropriate time."* The preceding text excerpt clearly indicates that the creator/manager controls the schedules and schedule data by way of the console (e.g. update terminal).) (Page 14, Lines 13-19; Page 17, Lines 12-13; Page 18, Lines 16-19).

Loen fails to disclose a mail massage including a second identifying item specifying the home page, a request of updating the home page and a update file; a mail server connected to the update terminal and the home page management server though a communication network, which receives the mail message from the update terminal and stores the mail massage; and that the specified sources are the mail server.

Davis discloses a mail massage including a second identifying item specifying the home page, a request of updating the home page and a update file (i.e. *"A provider of content for a hypertext document can send an e-mail message containing revisions or additions to the document directly (or indirectly) to the server hosting the hypertext document and automatically revise the document without requiring the intervention of another party. Revisions to a hypertext document may be generated in the same manner as an e-mail message is created or independently via a source external to an e-mail utility. For example, revisions may be generated in a word processing program and automatically transmitted to a server via an e-mail message...The present invention may also include an Information Management System (IMS) module which monitors all activity, manages update schedules, and creates various logs and reports. The present invention allows many content providers to update authorized Web pages in either a supervised or an unsupervised mode...Instructions are preferably transmitted to a device's incoming e-mail box to await retrieval by the device. A receiving device need not be in continuous communication with the computer network. A receiving device may connect to the network periodically to retrieve instructions from its incoming e-mail box, log off and then carry out the instructions. A receiving device may be instructed to transmit data across the network to another receiving device. For example, information including sales totals, number of users, quantities of product delivered, and the like, may be transmitted."* The preceding text excerpt clearly indicates that email messages requesting to update the HTML document data, and including the update data therein may be transmitted to the server hosting the html document (e.g. the mail server of the creator/managers

system).) (Column 3, Lines 3-12 and 53-58; Column 15, Lines 58-67); a mail server connected to the update terminal and the home page management server though a communication network, which receives the mail message from the update terminal and stores the mail massage (i.e. *"A provider of content for a hypertext document can send an e-mail message containing revisions or additions to the document directly (or indirectly) to the server hosting the hypertext document and automatically revise the document without requiring the intervention of another party. Revisions to a hypertext document may be generated in the same manner as an e-mail message is created or independently via a source external to an e-mail utility. For example, revisions may be generated in a word processing program and automatically transmitted to a server via an e-mail message...The present invention may also include an Information Management System (IMS) module which monitors all activity, manages update schedules, and creates various logs and reports. The present invention allows many content providers to update authorized Web pages in either a supervised or an unsupervised mode...Instructions are preferably transmitted to a device's incoming e-mail box to await retrieval by the device. A receiving device need not be in continuous communication with the computer network. A receiving device may connect to the network periodically to retrieve instructions from its incoming e-mail box, log off and then carry out the instructions. A receiving device may be instructed to transmit data across the network to another receiving device. For example, information including sales totals, number of users, quantities of product delivered, and the like, may be transmitted."* The preceding text excerpt clearly indicates that email messages requesting to update the HTML document data, and including the update data therein may be transmitted to the server hosting the html document (e.g. the mail server of the creator/managers system).) (Column 3, Lines 3-12 and 53-58; Column 15, Lines 58-67); and that the specified sources are the mail server (i.e. *"A provider of content for a hypertext document can send an e-mail message containing revisions or additions to the document directly (or indirectly) to the server hosting the hypertext document and automatically revise the document without requiring the intervention of another party. Revisions to a hypertext document may be generated in the same manner as an e-mail message is created or independently via a source external to an e-mail utility. For example,*

revisions may be generated in a word processing program and automatically transmitted to a server via an e-mail message...The present invention may also include an Information Management System (IMS) module which monitors all activity, manages update schedules, and creates various logs and reports. The present invention allows many content providers to update authorized Web pages in either a supervised or an unsupervised mode...Instructions are preferably transmitted to a device's incoming e-mail box to await retrieval by the device. A receiving device need not be in continuous communication with the computer network. A receiving device may connect to the network periodically to retrieve instructions from its incoming e-mail box, log off and then carry out the instructions. A receiving device may be instructed to transmit data across the network to another receiving device. For example, information including sales totals, number of users, quantities of product delivered, and the like, may be transmitted." The preceding text excerpt clearly indicates that email messages requesting to update the HTML document data, and including the update data therein may be transmitted to the server hosting the html document (e.g. the mail server of the creator/managers system).) (Column 3, Lines 3-12 and 53-58; Column 15, Lines 58-67).

It would have been obvious to one skilled in the art at the time of Applicants invention to modify the teachings of Leon with the teachings of Davis to include a mail massage including a second identifying item specifying the home page, a request of updating the home page and a update file; a mail server connected to the update terminal and the home page management server though a communication network, which receives the mail message from the update terminal and stores the mail massage; and that the specified sources are the mail server with the motivation of automatically revising a hypertext document stored within a server connected to a computer environment which utilizes scheduling (Abstract and Column 3, Lines 53-58).

As per Claim 9, Loen discloses the home page management unit extracts a updated HTML document data stored in the home page data base in accordance with a process for reading out a latest first HTML document data and a second HTML document data having an update time a predetermined period of time before the current time from the home page database (i.e. *"In step 210, a Java applet in the web browser monitors the source of the content in each template region. In step 220, the browser Java applet determines if the content has changed. If yes, then in step 230, the browser Java applet parses the source code of the updated content. In step 240, the new content is downloaded from the source and reloaded into the web page region automatically. The affected region is updated on the web page without affecting the rest of the page. The web page developer can define the interval for which the browser applet updates the content from the server. This interval can be unique for each region."* The preceding text excerpt clearly indicates that when the scheduled patrol identifies updated data in any of the search repositories, the data is extracted and the updates applied. Examiner notes that in order to detect changes to the document (e.g. mismatched data part) a latest first HTML document (e.g. updated document) must be compared to a second HTML document (e.g. the current page being updated) after the documents are read out.) (Page 10, Lines 5-12), and a process for extracting a mismatched data part of the first and second HTML document data (i.e. *"In step 210, a Java applet in the web browser monitors the source of the content in each template region. In step 220, the browser Java applet determines if the content has changed. If yes, then in step 230, the browser Java applet parses the source code of the updated content. In step 240, the new content is downloaded from the source and reloaded into the web page region automatically. The affected region is updated on the web page without affecting the rest of the page. The web page developer can define the interval for which the browser applet updates the content from the server. This interval can be unique for each region."* The preceding text excerpt clearly indicates that when the scheduled patrol identifies updated data in any of the search repositories, the data is extracted and the updates applied. Examiner notes that in order to detect

changes to the document (e.g. mismatched data part) a latest first HTML document (e.g. updated document) must be compared to a second HTML document (e.g. the current page being updated) after the documents are read out.) (Page 10, Lines 5-12).

As per Claim 10, Loen fails to disclose the patrol search unit sends a file search request through the management unit to the update terminal, and a reception process of an update file from the update terminal.

Davis discloses the patrol search unit sends a file search request through the management unit to the update terminal, and a reception process of an update file from the update terminal (i.e. *"In step 210, a Java applet in the web browser monitors the source of the content in each template region. In step 220, the browser Java applet determines if the content has changed. If yes, then in step 230, the browser Java applet parses the source code of the updated content. In step 240, the new content is downloaded from the source and reloaded into the web page region automatically. The affected region is updated on the web page without affecting the rest of the page. The web page developer can define the interval for which the browser applet updates the content from the server. This interval can be unique for each region."* The preceding text excerpt clearly indicates that an update terminal (e.g. the manager/creators console) may be used to input update data and transfer the update data to the server to be stored in the home page database. Examiner notes that the update file may be identified through a file search on the manager/creators console.) (Page 10, Lines 5-12).

It would have been obvious to one skilled in the art at the time of Applicants invention to modify the teachings of Leon with the teachings of Davis to include the patrol search unit sends a file search request through the management unit to the update terminal, and a reception process of an update file from the update terminal with

the motivation of automatically revising a hypertext document stored within a server connected to a computer environment which utilizes scheduling (Abstract and Column 3, Lines 53-58).

As per Claim 11, Loen discloses the schedule database sets with a predetermined cyclic period, and update data associated with the schedule database (i.e. *"Each schedule contains one or more Events and each Event contains a Message and a Time Value. Each Message includes one of the Event Trigger Types and one or more parameters that are used to control the Event Trigger. Each Time Value has a Type and a Value. The Type can be either RealTime or TimeOfDay. The Time Value for RealTime Events is a number in seconds. The Time Value for TimeOfDay Events Action consists of a number of elements. One or more of these elements must be present: YEAR, MONTH, DAY, HOUR, MINUTE, SECOND, GMT. Time Values are calculated based on the time elements that are present. For instance, if only the month value is specified, the event will occur once, whenever the web page is viewed during the matching month. If both the month and the day are specified, the event will occur on that day, regardless of the year. Alternately, if only a time value is specified (for example: HOUR = 15, MINUTE=10), then that event will occur every day at 3:10pm."* The preceding text excerpt clearly indicates that the schedule data may be set to apply the update data on a predetermined cyclic period.) (Page 14, Lines 20-25; Page 15, Lines 1-8), and the search process of schedule data in the schedule database includes a search process of update data associated with a schedule corresponding to the current time (i.e. *"Each schedule contains one or more Events and each Event contains a Message and a Time Value. Each Message includes one of the Event Trigger Types and one or more parameters that are used to control the Event Trigger. Each Time Value has a Type and a Value. The Type can be either RealTime or TimeOfDay. The Time Value for RealTime Events is a number in seconds. The Time Value for TimeOfDay Events Action consists of a number of elements. One or more of these elements must be present: YEAR, MONTH, DAY, HOUR,*

MINUTE, SECOND, GMT. Time Values are calculated based on the time elements that are present. For instance, if only the month value is specified, the event will occur once, whenever the web page is viewed during the matching month. If both the month and the day are specified, the event will occur on that day, regardless of the year. Alternately, if only a time value is specified (for example: HOUR=15, MINUTE=10), then that event will occur every day at 3:10pm." The preceding text excerpt clearly indicates that the schedule data may be set to apply the update data on a predetermined time a set number of seconds beyond the current time, or may be triggered to search for updates at the current time.) (Page 14, Lines 20-25; Page 15, Lines 1-8).

As per Claim 12, Loen discloses a system for automatically updating a home page, comprising: a home page database storing an HTML data (i.e. *"When a user selects the publish function, the application automatically creates the HTML, DHTML and JavaScript codes required to load and run the web page in the viewer's browser. Then the web page is saved in a directory chosen by the user."* The preceding text excerpt clearly indicates that a web page/home page is stored in a home page database. Examiner notes that, in this case, the creator/managers system functions as a database and that as the creator/manager may specify the location of storage, an external database may be indicated.) (Page 17, Lines 3-5); a banner generation unit generating a banner HTML data (i.e. *"In step 210, a Java applet in the web browser monitors the source of the content in each template region. In step 220, the browser Java applet determines if the content has changed. If yes, then in step 230, the browser Java applet parses the source code of the updated content. In step 240, the new content is downloaded from the source and reloaded into the web page region automatically. The affected region is updated on the web page without affecting the rest of the page. The web page developer can define the interval for which the browser applet updates the content from the server. This interval can be unique for each region."* The preceding text excerpt along with the abstract of Loen clearly indicates that banner HTML data is generated and stored.) (Page 10, Lines 5-12); an update terminal storing an

update data from the entrant, the update data including a second request to update the banner HTML data (i.e. *"In step 210, a Java applet in the web browser monitors the source of the content in each template region. In step 220, the browser Java applet determines if the content has changed. If yes, then in step 230, the browser Java applet parses the source code of the updated content. In step 240, the new content is downloaded from the source and reloaded into the web page region automatically. The affected region is updated on the web page without affecting the rest of the page. The web page developer can define the interval for which the browser applet updates the content from the server. This interval can be unique for each region."* The preceding text excerpt clearly indicates that updates are stored on an update terminal and the Abstract of Loen clearly discloses that the update content may be advertisement content. Examiner further notes that the in order for the home page to be updated, the home page must be specified.) (Page 10, Lines 5-12); a schedule database storing schedule data relating to the banner HTML data (i.e. *"Scheduling is used to link web page appearance and content to the time of day or to a specific time interval. Web page developers can schedule any of the events defined above to occur at any time during a schedule. The scheduling feature is also accompanied by GUI 84 as illustrated in Figure 25. The GUI allows the developer to create a time line schedule for each region of the web page. A schedule file in an XML format is created from the information provided to the GUI. The schedule file contains one or more schedules to be executed by a web page."* The preceding text excerpt clearly indicates that scheduling information is created and stored. Examiner notes that the scheduling database need not be separate from the home page database.) (Page 14, Lines 13-19); a patrol search unit patrolling specified sources, the update terminal, the home page database, and the schedule database to search and extract data relating the banner HTML data (i.e. *"Scheduling is used to link web page appearance and content to the time of day or to a specific time interval. Web page developers can schedule any of the events defined above to occur at any time during a schedule. The scheduling feature is also accompanied by GUI 84 as illustrated in Figure 25. The GUI allows the developer to create a time line schedule for*

each region of the web page. A schedule file in an XML format is created from the information provided to the GUI. The schedule file contains one or more schedules to be executed by a web page." The preceding text excerpt clearly indicates that schedules may be created which search for and process updates to the web page. Examiner notes that as schedules may call other schedules, a 'master schedule' (e.g. patrol order) may be created which calls sub schedules to search for and process updates in each of a specified data source (see Schedule commands on Pages 11-14 of Loen), the update terminal, the home page database, and the schedule database. Examiner notes that as the updates are never stored in the update terminal or the schedule database, it is not necessary to search for updates in those repositories, however, with the above disclosed method, schedules could be created to check for updates within those sources.) (Page 14, Lines 13-19); and a home page management unit reading the HTML data from the home page database, issuing a patrol search command to the patrol search unit to search and extract data relating to the banner HTML data from the first request, the second request, and the schedule data (i.e. *"In step 210, a Java applet in the web browser monitors the source of the content in each template region. In step 220, the browser Java applet determines if the content has changed. If yes, then in step 230, the browser Java applet parses the source code of the updated content. In step 240, the new content is downloaded from the source and reloaded into the web page region automatically. The affected region is updated on the web page without affecting the rest of the page. The web page developer can define the interval for which the browser applet updates the content from the server. This interval can be unique for each region."* The preceding text excerpt clearly indicates that when the scheduled patrol identifies updated data in any of the search repositories, the data is extracted and the updates applied. Examiner notes that the abstract of Loen also indicates that the updated data is local ad campaign (e.g. banner) data.) (Page 10, Lines 5-12), issuing a banner generation command to the banner generation unit to generate the banner HTML data based on the data, reading the banner HTML data from the banner generation unit, appending the banner HTML data to the HTML data (i.e. *"In*

step 210, a Java applet in the web browser monitors the source of the content in each template region. In step 220, the browser Java applet determines if the content has changed. If yes, then in step 230, the browser Java applet parses the source code of the updated content. In step 240, the new content is downloaded from the source and reloaded into the web page region automatically. The affected region is updated on the web page without affecting the rest of the page. The web page developer can define the interval for which the browser applet updates the content from the server. This interval can be unique for each region." The preceding text excerpt clearly indicates that when the scheduled patrol identifies updated data in any of the search repositories, the data is extracted and the updates applied. Examiner notes that the abstract of Loen also indicates that the updated data is local ad campaign (e.g. banner) data.) (Page 10, Lines 5-12), and transmitting the HTML data with the banner HTML data appended thereto to a user terminal in response to a request from the user terminal (i.e. *"In step 210, a Java applet in the web browser monitors the source of the content in each template region. In step 220, the browser Java applet determines if the content has changed. If yes, then in step 230, the browser Java applet parses the source code of the updated content. In step 240, the new content is downloaded from the source and reloaded into the web page region automatically. The affected region is updated on the web page without affecting the rest of the page. The web page developer can define the interval for which the browser applet updates the content from the server. This interval can be unique for each region."* The preceding text excerpt clearly indicates that when the scheduled patrol identifies updated data in any of the search repositories, the data is extracted and the updates applied. Examiner notes that the abstract of Loen also indicates that the updated data is local ad campaign (e.g. banner) data.) (Page 10, Lines 5-12).

Loen fails to disclose a mail server receiving a mail message from an entrant, the mail message including a first request to update the banner HTML data; and that the specified sources are the mail server.

Davis discloses a mail server receiving a mail message from an entrant, the mail message including a first request to update the banner HTML data (i.e. *"A provider of content for a hypertext document can send an e-mail message containing revisions or additions to the document directly (or indirectly) to the server hosting the hypertext document and automatically revise the document without requiring the intervention of another party. Revisions to a hypertext document may be generated in the same manner as an e-mail message is created or independently via a source external to an e-mail utility. For example, revisions may be generated in a word processing program and automatically transmitted to a server via an e-mail message...The present invention may also include an Information Management System (IMS) module which monitors all activity, manages update schedules, and creates various logs and reports. The present invention allows many content providers to update authorized Web pages in either a supervised or an unsupervised mode...Instructions are preferably transmitted to a device's incoming e-mail box to await retrieval by the device. A receiving device need not be in continuous communication with the computer network. A receiving device may connect to the network periodically to retrieve instructions from its incoming e-mail box, log off and then carry out the instructions. A receiving device may be instructed to transmit data across the network to another receiving device. For example, information including sales totals, number of users, quantities of product delivered, and the like, may be transmitted."* The preceding text excerpt clearly indicates that email messages requesting to update the HTML document data, and including the update data therein may be transmitted to the server hosting the html document (e.g. the mail server of the creator/managers system).) (Column 3, Lines 3-12 and 53-58; Column 15, Lines 58-67); and that the specified sources are the mail server (i.e. *"A provider of content for a hypertext document can send an e-mail message containing revisions or additions to the document directly (or indirectly) to the server hosting the hypertext document and automatically revise the document without requiring the intervention of another party. Revisions to a hypertext document may be generated in the same manner as an e-mail message is created or independently via a source external to an e-mail utility. For example, revisions may be generated in a word processing program and automatically transmitted to a server via an e-mail*

message...The present invention may also include an Information Management System (IMS) module which monitors all activity, manages update schedules, and creates various logs and reports. The present invention allows many content providers to update authorized Web pages in either a supervised or an unsupervised mode...Instructions are preferably transmitted to a device's incoming e-mail box to await retrieval by the device. A receiving device need not be in continuous communication with the computer network. A receiving device may connect to the network periodically to retrieve instructions from its incoming e-mail box, log off and then carry out the instructions. A receiving device may be instructed to transmit data across the network to another receiving device. For example, information including sales totals, number of users, quantities of product delivered, and the like, may be transmitted." The preceding text excerpt clearly indicates that email messages requesting to update the HTML document data, and including the update data therein may be transmitted to the server hosting the html document (e.g. the mail server of the creator/managers system).) (Column 3, Lines 3-12 and 53-58; Column 15, Lines 58-67).

It would have been obvious to one skilled in the art at the time of Applicants invention to modify the teachings of Leon with the teachings of Davis to include a mail server receiving a mail message from an entrant, the mail message including a first request to update the banner HTML data; and that the specified sources are the mail server with the motivation of automatically revising a hypertext document stored within a server connected to a computer environment which utilizes scheduling (Abstract and Column 3, Lines 53-58).

Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Hicks whose telephone number is (571) 272-2670. The examiner can normally be reached on Monday - Friday 9:00a - 5:30p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian Chace can be reached on (571) 272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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